

**REMARKS**

***Status of the Application***

Claims 1-20 have been examined. By entry of this Amendment, claims 1-22 are all the claims pending in the application.

***Formal Matters***

Applicant thanks the Examiner for initialing and returning the Information Disclosure Statement filed September 1, 2006, and for indicating consideration of all the references thereon.

Applicant additionally thanks the Examiner for indicating acceptance of the drawings and for acknowledging Applicant's claim for foreign priority. Applicant requests that acknowledgement of receipt of certified copies of the priority document be indicated on the next Office communication.

***Amendments to the Claims***

Applicant has amended the claims to improve their clarity. Additionally, Applicant has Added claims 21 and 22 to more particularly claim aspects of the present invention and submits that the added claims do not constitute new matter and no additional search is required.

***Claim Rejections: 35 U.S.C. § 102(e) - Matz***

Claims 1-2, 4-6, 8-12, 14-16, and 18-20 stand rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by US Publication No. 2004/0255321 to Matz (hereinafter "Matz").

Applicant traverses, as the reference does not teach every element of the claims.

For example, claim 1 contains the feature of a log recording means for recoding a log of a viewer. The Office Action cites to the user profile of Fig. 3 of Matz as allegedly teaching this feature (Office Action, page 2).

The user profile of Matz contains tag information representing the types of content that the user does not prefer or does not wish to view (para. 10). Content is blocked by Matz based on category content tags (para. 11).

The user profile of Matz is generated either manually or automatically (para. 64). Automatic generation of the user profile is done by adding tags to the user profile based on viewing history (para. 13). It is this use of viewing history to generate a user profile that the Office Action contends makes the user profile of Matz teach a log of the viewer (Office Action, page 2).

Rather than being a log of the viewer, the user profile of Matz is merely a listing of types of content that the user prefers or wishes to avoid. The user profile does not contain a listing of content viewed by the user; it is simply a listing of types of content, e.g., sports, cooking (para. 4).

Additionally, rather than being a log of the viewer, the viewing history of Matz is an aggregate of viewing times of categories (Fig. 15). Only the time spent watching *a type* of content is recorded (para. 101), and this agglomeration of data is used to update the user profile (para. 103). Neither the user profile nor the viewing history records a log of a viewer as featured in the claims; Matz does not teach recording a log of a viewer as featured in the claim.

The present invention is for recording a log of a viewer in the viewing side of the contents, and sending out a view-controller for controlling the viewing of the contents from the sending-out side of the content to the viewing side based upon this log of the viewer. And, it is for controlling the viewing of the contents based upon the view-controller and the recorded log.

On the other hand, the technology of the cited reference Matz is for recording the profile of the viewer, and controlling the viewing based upon the tagged data affixed to the content.

Herein, the tagged data of Matz, as shown in Fig. 5 and Fig. 6 of Matz is not a controller for controlling the viewing, but meta-data of the content. Thus, it is not possible to control the content by only using this tagged data.

Further, the Examiner makes mention of the statement “The receive module 312 sends the tagged data to an analysis module 314, which analyzes the received tagged data”. What this means is that the receive module 312 within the client device 304 sends the tagged data to the analysis module 314. Thus, with Matz, it is not that the sending side of the content sends the controller to the receiving side of the content, which differs from the case of the present invention.

As mentioned above, it can be seen that the present invention totally differs from the cited reference Matz in configuration.

As Matz does not teach all the features of the claim, the claim is patentable over the reference for at least this reason. Claim 11 contains similar features and is therefore patentable for the analogous reasons. The remaining rejected claims: 2, 4-6, 8-10, 12, 14-16, and 18-20 are patentable for at least the reason of their respective dependencies.

With further regard to claim 9, the claim contains the features of replacing a view controlling condition with a replacement condition, detecting a log satisfying the replacement condition, and permitting viewing of contents when the log is detected . The Office Action cites to paragraph 11 of Matz as allegedly teaching this feature (Office Action, page 4). The cited portion of Matz merely describes substituting *content* for blocked *content* (para. 11) and does not involve a replacement *condition*. Matz does not teach replacing a condition with another condition or detecting a log satisfying the replacement condition, as featured in the claims. As the reference does not teach all the features of the claim, the claim is patentable over the

reference for at least this reason. Claim 19 contains similar features and is therefore patentable for analogous reasons.

With further regard to claim 10, the claim contains features such as a means for sending out a log-record controller. The Office Action rejects claim 10 under the same reasoning as applied to claim 1 (Office Action, page 4). Applicant respectfully submits that the features of claim 10 are not present in Matz, and that these specific features are not addressed in the Office Action. Applicant therefore requests that the location in the reference where the features of claim 10 can be found or alternatively that the rejection be withdrawn. Claim 20 contains similar features to claim 10 and Applicant makes an analogous request with respect to Claim 20.

***Claim Rejections: 35 U.S.C. § 103(a) - Matz + Official Notice***

Claims 3, 7, 13, and 17 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Matz in view of Official Notice.

Applicant hereby traverses and challenges the assertion that “it was notoriously well known in the art by any person of ordinary skill at that time the invention was made that any system can provide condition being applied after viewing the contents with respect to viewing history of the users, rating of the content and parental control.” Applicant respectfully requests that documentary evidence and specific factual findings be provided in the next Office communication that supports the Notice. In the absence of such evidence, Applicant asks that the corresponding rejections be withdrawn (MPEP 2144.3).

***Conclusion***

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned Attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

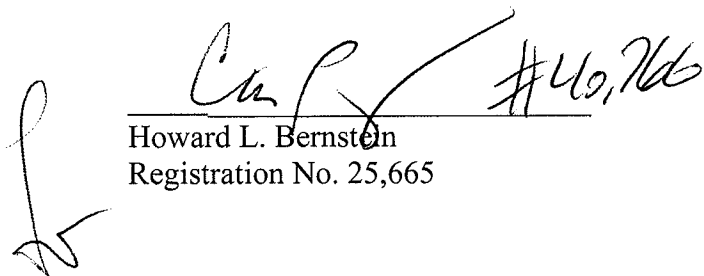
SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: January 27, 2009

 #40,766  
Howard L. Bernstein  
Registration No. 25,665